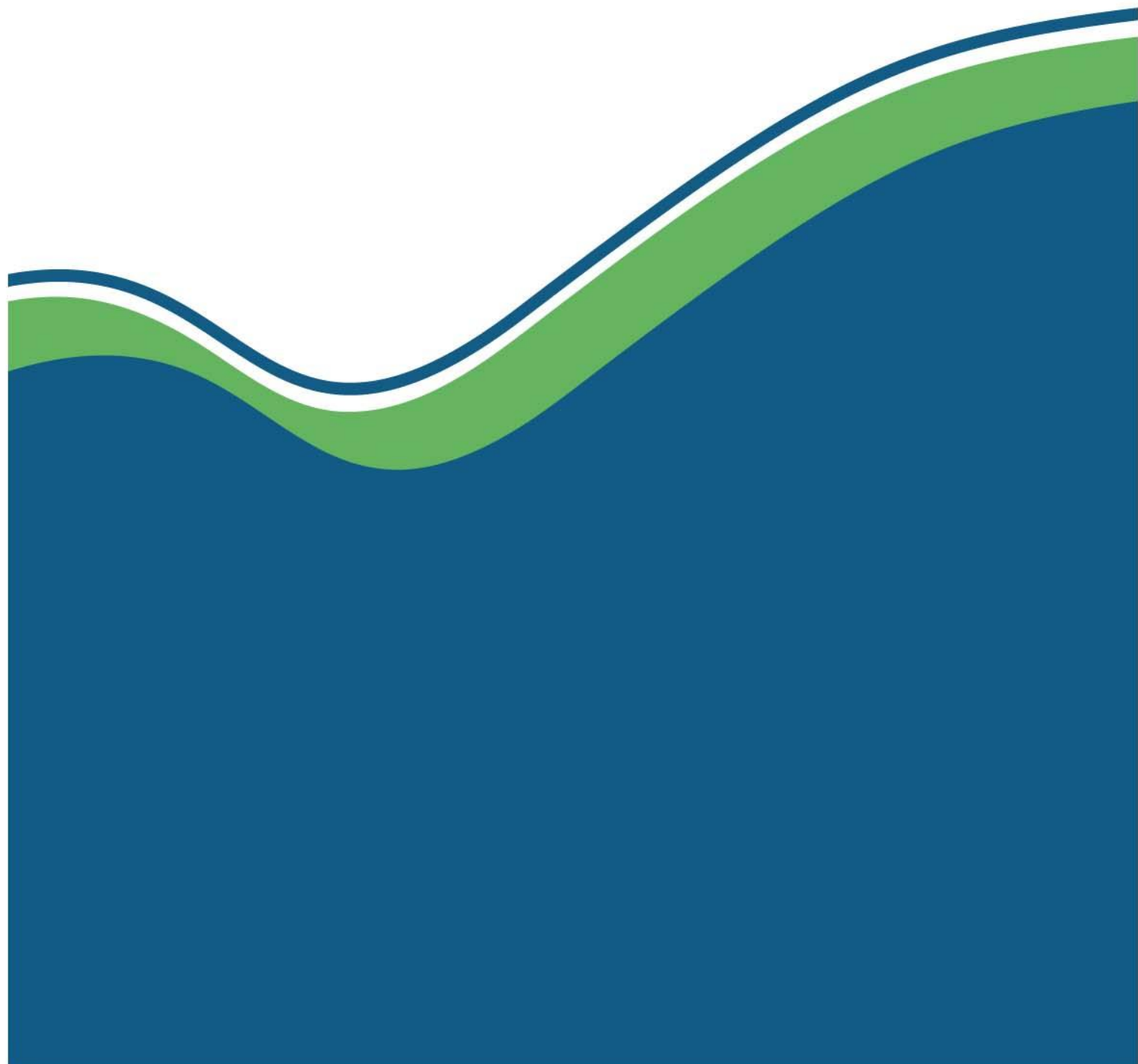


Landfill sites and capacity report for Scotland 2012



Landfill Sites and Capacity Report for Scotland - 2012

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1. Introduction

This paper presents the total estimated remaining capacity for the disposal of waste to landfill in Scotland as at 31 December 2012. It presents the numbers and capacities of all landfill sites authorised¹ by the Scottish Environment Protection Agency (SEPA) and either active (landfilling waste) or non-active (not landfilling waste) in calendar year 2012. The total tonnages of waste landfilled in Scotland in 2012 are also presented.

This paper is intended as a snapshot of available capacity as at 31 December 2012 and does not attempt to project future trends in disposal, nor assess the potential impact of any changes in waste management practice or policy that may affect future capacity.

Detailed site by site information is available from the landfill sites and capacity spreadsheet 2012 that accompanies this report:

www.sepa.org.uk/waste/waste_data/waste_site_information/landfill_sites_capacity.aspx

Information on all licensed and permitted waste management facilities in Scotland is available in the waste sites and capacity spreadsheet 2012:

www.sepa.org.uk/waste/waste_data/waste_site_information/waste_sites_capacity.aspx

Maps based on the landfill sites and capacity spreadsheet 2012 showing landfill sites at a national and local authority level are available here:

http://www.sepa.org.uk/waste/waste_infrastructure_maps.aspx

Other waste data information is available on SEPA's website:

http://www.sepa.org.uk/waste/waste_data.aspx

¹ Through the Waste Management Licensing, (WML) or Pollution Prevention & Control, (PPC) regimes

2. Controlled waste disposed of to landfill in Scotland 2012

The total amount of controlled waste sent to landfill in 2012 was **4,481,080 tonnes**. A breakdown of this by region (local authority) and waste type (European Waste Catalogue for Statistics [EWC-Stat]*) code is shown in Table 1.

Table 1: Total amount of controlled waste landfilled in Scotland by region and waste type (2012)

Region (local authority)	Waste type by EWC-STAT code												TOTAL
	01 Chemical compound wastes	02 Chemical preparation waste	03 Chemical & physical process wastes	05 Infectious waste	06 Metallic wastes	07 Non- metallic waste	08 Discarded equipment	09 Animal & vegetal wastes	10 Mixed ordinary wastes	11 Common sludges	12 Mineral wastes	13 Solidified, stabilised or vitrified wastes	
Aberdeen													-
Aberdeenshire	106	23	3	739	110	533		1,587	277,882	1,894	86,954	76,701	446,532
Angus						113		77	37,559		29,536		67,285
Argyll and Bute								565	32,848	267	1,133		34,813
Clackmannanshire													-
Dumfries & Galloway									12,018		11,533		23,551
Dundee													-
East Ayrshire			41			330		746	85,715	1,344	62,997		151,174
East Dunbartonshire											58,027		58,027
East Lothian		3	114			159	944	609	209,036		140,287		351,152
East Renfrewshire	10					82		104	13,169		375		13,740
Edinburgh													-
Eilean Siar				48		629	2	768	11,591	391	3,065		16,496
Falkirk	118	23	10,111	561	3,096	1,131		761	276,160	4,614	246,502		543,077
Fife								725	155,000		447,952		603,677
Glasgow			251						226,498		2,554		229,303
Highland						522			27,695	648	15,076		43,942
Inverclyde													-
Midlothian				180				60	23,997	888	6,507		31,632
Moray				76		6			35,302	181	8,858		44,422
North Ayrshire								50	66,889		64,768		131,708
North Lanarkshire			4,212	3,970		1,895		25	234,829	339	44,894	3,870	294,033
Orkney											9,510		9,510
Perth and Kinross			113	199		6		340	139,135	2,632	20,832		163,257
Renfrewshire											189,505		189,505
Scottish Borders						58			40,205		18,817		59,080
Shetland Islands		2		21	7	649		2,667	3,283	1,288	5,816	111	13,844
South Ayrshire						2,048			32,685	10,900	25,954	15,948	87,535
South Lanarkshire				85		812		21	293,835		281,403		576,157
Stirling											6,175		6,175
West Dunbartonshire			6,554	6		1,447		639	93,514	4,802	102,219	3,089	212,268
West Lothian			52			65		32	51,116	3,135	24,784		79,185
TOTAL	234	51	21,453	5,885	3,214	10,484	946	9,779	2,379,959	33,324	1,916,033	99,719	4,481,080

*EWC STAT: Further information is available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:253:0002:0041:EN:PDF>

3. Number and types of landfills in Scotland in 2012 with remaining capacities

Under the Landfill Regulations (Scotland) 2003, all landfill sites are required to be classified as hazardous, non-hazardous or inert². Table 2 shows the total number and remaining capacity for each type of authorised landfill in Scotland for both active and non-active sites.

Table 2: Numbers, types and remaining capacities of authorised landfill sites in Scotland as at 31 December 2012

Type of landfill	Active in 2012		Not active in 2012		Total	
	Number	Remaining capacity (tonnes)*	Number	Remaining capacity (tonnes)*	Number	Remaining capacity (tonnes)*
Inert	16	5,666,021	7	6,647,069	23	12,313,090
Non-hazardous	41	61,581,229	6	4,726,619	47	66,307,848
Hazardous	1	250,761	0	0	1	250,761
Total	58	67,498,011	13	11,373,688	71	78,871,699

*For some sites, remaining capacity figures have not been reported by site operators. These sites are indicated by n/k in appendices 1-3

4. Remaining capacities and tonnage of inert and non-hazardous waste landfilled in Scotland in 2012

In order for remaining landfill capacity figures to be meaningful, a comparison should be made with the quantity of waste landfilled. This section considers inert and non-hazardous waste. Hazardous waste is considered in Section 5.

Table 3 compares remaining landfill capacity with the quantity of inert and non-hazardous waste landfilled at active and non-active authorised landfills in each region (local authority) for the calendar year 2012. This total is only for landfill sites that have a remaining capacity.

² Refer to Landfill Type information in Appendix 4

Table 3: Inert and non-hazardous waste landfilled during 2012 and remaining landfill capacity at 31 December 2012 in Scotland by region

Region (local authority)	Inert		Non-Hazardous	
	Total waste landfilled [†] (tonnes)	Remaining landfill capacity* (tonnes)	Total waste landfilled [†] (tonnes)	Remaining landfill capacity* (tonnes)
Aberdeen	-	-	-	--
Aberdeenshire	45,314	2,400,240	401,218	6,293,616
Angus	16,067	1,629,161	51,218	1,019,929
Argyll and Bute	-	-	34,813	938,170
Clackmannanshire	-	-	-	-
Dumfries and Galloway	-	-	23,551	935,576
Dundee	-	-	-	-
East Ayrshire	-	-	95,687	3,504,866
East Dunbartonshire	-	-	-	-
East Lothian	30,109	94,000	321,043	12,630,772
East Renfrewshire	-	-	14,115	312,500
Edinburgh	-	-	-	-
Eilean Siar	-	-	16,496	1,531,920
Falkirk	-	-	464,278	3,149,047
Fife	-	-	603,676	5,748,062
Glasgow	-	-	229,303	1,236,418
Highland	0	82,100	43,942	941,800
Inverclyde	-	-	-	-
Midlothian	-	-	31,632	1,600,111
Moray	-	-	44,422	500,000
North Ayrshire	0	1,400,000	129,326	1,474,095
North Lanarkshire	0	4,712,000	294,033	14,037,865
Orkney	9,510	114,145	-	-
Perth and Kinross		103,669	163,257	970,000
Renfrewshire	143,507	250,000	45,998	104,002
Scottish Borders	7,334	83,775	51,746	660,934
Shetland Islands	-	-	13,844	997,238
South Ayrshire	-	-	87,535	440,000
South Lanarkshire	76,554	996,000	499,596	3,030,927
Stirling	-	-	-	-
West Dunbartonshire	93,440	350,000	118,828	3,250,000
West Lothian	18,581	98,000	60,604	1,000,000
Scotland	440,415	12,313,090	3,840,161	66,307,848

* For some sites, remaining capacity figures have not been reported by site operators. These sites are indicated in Appendices 1 and 2.

[†]The tonnages given for inert and non-hazardous waste landfilled do not include landfills taking restoration materials.

4. Remaining capacity and tonnage of hazardous waste landfilled in Scotland in 2012

Avondale hazardous landfill in Falkirk (PPC/E/0020086) is the only site in Scotland specifically permitted to accept hazardous waste. Some **78,799** tonnes of waste were landfilled at this site in calendar year 2012 and the remaining capacity as at 31 December 2012 was **250,761** tonnes.

In addition, 17 non-hazardous sites across Scotland are permitted to accept bonded asbestos waste, as stable non-reactive hazardous waste³, consigned in a separate cell. These are identified under the 'stable non-reactive hazardous waste cell' column in Appendix 2.

5. Data sources and limitations

The data outlined in this report has been extracted from SEPA's public register of licensed/permitted sites and from information supplied by landfill site operators. Site operators are required to make returns to SEPA detailing the types and quantities of waste landfilled at their site. The data are reported to SEPA on a quarterly basis using the licensed/permitted site return form from sites holding a waste management licence (WML) or relevant Pollution Prevention and Control (PPC) permit.

SEPA received - 98% rate of Licensed/Permitted quarterly return landfill data
94% rate of remaining landfill capacity data

The regulation of landfills under SEPA's powers currently falls between the WML and PPC regimes. Only a few of the landfills listed in the accompanying spreadsheet continue to be regulated under the WML regime while the sites complete the restoration phase.

This report considers waste from household, commercial and industrial sources.

Landfills can accept waste from within the local authority boundaries and from all over Scotland and beyond, so waste landfilled within any given local authority area does not necessarily correspond to the waste produced within that area.

Although checks are made, SEPA cannot be held responsible for any errors contained within the data nor for commercial decisions by operators on whether or not to fill an authorised void.

No data is presented for sites which have planning permission but have not yet applied for, or been issued with, a permit by SEPA.

Any minor differences in the tonnage totals within and between this report and the accompanying spreadsheet are due to rounding values.

Where no licensed/permitted site return form has been received, no estimates have been applied to the missing data within the report and accompanying spreadsheet.

³ Refer to Landfill Type information note, Appendix 5

Appendix 1: Inert Landfill Summary as at 31 December 2012

Local authority	Licence/Permit number	Site name	Operator organisation	Total landfilled 2012 (tonnes)	Remaining capacity as at 31 December 2012 (tonnes)	Comments
Aberdeenshire	PPC/A/1008691	Loch Hills Quarry, Parkhill, Dyce, Aberdeen	Joss (Aberdeen) Limited	5,500	1,441,683	
Aberdeenshire	PPC/A/1008856	Park Quarry, South Deeside Road, Aberdeen	Chap Quarries (Aberdeen) Ltd	23,347	890,000	
Aberdeenshire	PPC/A/1008883	A & M Smith, Bankhead, Portlethen	A & M Smith Skiphire Limited	16,467	68,557	
Aberdeenshire	PPC/N/0020012	Bodychell Sand & Gravel, Memsie, Fraserburgh	Bodychell Sand & Gravel Ltd	-	n/k	Not Active in 2012
Angus	PPC/A/1008876	D Geddes Ltd, Border Quarry LF, Friockheim	D Geddes (Contractors) Ltd	-	349,300	Not Active in 2012
Angus	PPC/A/1008878	D Geddes Ltd, Ardownie Landfill, Monifieth	D Geddes (Contractors) Ltd	2,628	1,180,000	
Angus	PPC/A/1008879	D Geddes (Con) Ltd, Prettycur Landfill, Forfar	D Geddes (Contractors) Ltd	2,687	8,373	
Angus	PPC/A/1008926	Tayside Contracts, Bolshan Quarry LF, Friockheim	Tayside Contracts	1,495	91,488	
Angus	PPC/A/1009964	Hatton Mill Landfill site	Geddes Group Limited	9,257	n/k	
East Lothian	PPC/A/1003207	West Fortune Transfer Station & Landfill	J Haig Hamilton & Sons	30,109	94,000	
Highland	PPC/A/1024099	Skitten Quarry, Wick	John Gunn & Sons	-	82,100	Not Active in 2012
North Ayrshire	PPC/A/1038336	Old Mill Quarry, Beith	Wm Tracey Ltd	-	1,400,000	Not Active in 2012
North Lanarkshire	PPC/A/1035042	Mossband Farm Landfill & Materials Recovery	TOM Waste Solutions Ltd	-	4,712,000	Not Active in 2012

Local authority	Licence/Permit number	Site name	Operator organisation	Total landfilled 2012 (tonnes)	Remaining capacity as at 31 December 2012 (tonnes)	Comments
Orkney	PPC/A/1010715	OIC Bossack Landfill, Bossack, Orkney	Orkney Islands Council	765	94,145	
Orkney	PPC/A/1027001	Kingsdale Landfill, Firth Orkney	Orkney Islands Council	8,745	20,000	
Perth & Kinross	PPC/E/0020049	W B Grieve Groundworks	W B Grieve Groundworks	-	103,669	Not Active in 2012
Renfrewshire	PPC/A/1036720	Reilly Quarry, Houston	W H Malcolm Ltd	143,507	250,000	
Scottish Borders	PPC/A/1008881	Lamberton Landfill Site, Marshall Meadows, Berwick upon Tweed	James Fairbairn	7,334	83,775	
South Lanarkshire	PPC/A/1010943	Dovesdale Farm	Wm Hamilton & Sons	55,188	596,000	
South Lanarkshire	PPC/A/1098705	Carscallan Farm Landfill, Hamilton	Inland Engineering Services	21,366	400,000	
Stirling	PPC/A/1011233	Muirhouse LF, Muirhouse Quarry, Strathblane	Dow Waste Management	-	n/k	Not Active in 2012
West Dunbartonshire	PPC/A/1004362	Rigangower Landfill Site, by Milton, Dumbarton	William Thompson & Sons Ltd	93,440	350,000	
West Lothian	PPC/A/1008897	Torphin Quarry, Harburn, West Calder	Levenseat Ltd	18,581	98,000	

n/k - not known - site not submitted remaining landfill capacity

Appendix 2: Non-Hazardous Landfill Summary as at 31 December 2012

Local authority	Licence/Permit number	Site name	Operator organisation	Stable non-reactive hazardous waste cell	Total landfilled 2012 (tonnes)	Remaining capacity as at 31 December 2012 (tonnes)	Comments
Aberdeenshire	PPC/A/1003256	Savoch Landfill, Newton of Savoch	Les Taylor Contractors	√	1,775	72,000	
Aberdeenshire	PPC/N/0020001	Wester Hatton Landfill, Aberdeen	Shanks Waste Services Ltd		-	2,523,612	Not Active in 2012
Aberdeenshire	PPC/N/0020010	Stoneyhill Landfill Site	Stoneyhill Waste Management Ltd		248,165	3,322,455	
Aberdeenshire	PPC/N/0020026	Easter Hatton Farm, Balmedie, Aberdeenshire	Easter Hatton Environmental (Waste Away) Ltd	√	151,278	375,549	
Aberdeenshire	PPC/A/1038332	Howe of Byth, Cowbog	Lovie (New Pitsligo) Limited	√	-	n/k	Not Active in 2012
Angus	PPC/A/1000120	Restenneth Landfill Site	Angus Council		51,218	790,736	
Angus	PPC/A/1083569	Border Quarry Landfill, Friockheim	Geddes Group Limited	√	-	229,193	Not Active in 2012
Argyll & Bute	PPC/A/1004280	Dalinalongart Landfill Site, Sandbank, Dunoon	Shanks Argyll & Bute Limited		11,090	303,271	
Argyll & Bute	PPC/A/1004281	Lingerton Landfill Site	Shanks Argyll & Bute Limited		19,771	502,085	
Argyll & Bute	PPC/A/1008888	Gott Bay LFS, Isle of Tiree, Argyll	Argyll & Bute Council		93	13,673	
Argyll & Bute	PPC/A/1022141	Glengorm Landfill Site, Glengorm Rd, Tobermory	Argyll & Bute Council		1,774	34,226	

Local authority	Licence/Permit number	Site name	Operator organisation	Stable non-reactive hazardous waste cell	Total landfilled 2012 (tonnes)	Remaining capacity as at 31 December 2012 (tonnes)	Comments
Argyll & Bute	PPC/A/1025163	Gartbreck LFS, Isle of Islay, Argyll	Argyll & Bute Council		2,085	84,915	
Dumfries & Galloway	PPC/A/1000154	Galdenoch Waste Disposal Site	Shanks Waste Management Limited		-	816,576	Not Active in 2012
Dumfries & Galloway	PPC/A/1025270	Auchenlosh Landfill Site, Dalbeattie	Armstrong Waste Management	√	23,551	119,000	
East Ayrshire	PPC/W/0020019	Garlaff Landfill Sites, Skares Road, Cumnock	Barr Environmental Ltd	√	95,687	3,504,866	
East Lothian	PPC/A/1004254	Cockenzie Ash Lagoons, Near Musselburgh	Iberdrola S.A. (Scottish Power Generation Ltd)		100,630	25,000	
East Lothian	PPC/E/0020058	Dunbar Landfill, Dunbar	Viridor Waste Management Ltd		220,414	12,605,772	
East Renfrewshire	PPC/A/1004259	East Capellie Farm Landfill, Neilston	J & M Murdoch & Sons Limited		14,115	312,500	
Eilean Siar	PPC/A/1004275	Bennadrove Landfill WTS CA ELV, Stornoway	Comhairle nan Eilean Siar	√	16,496	1,531,920	
Falkirk	PPC/A/1004252	Broadside Landfill	Scottish Water		3,942	308,508	
Falkirk	PPC/A/1004300	West Carron Landfill	G R Service Co (Falkirk) Ltd		112,401	700,000	
Falkirk	PPC/E/0020059	Avondale Landfill - Polmont	Avondale Environmental Ltd	√	347,934	2,140,539	
Fife	PPC/A/1004266	Valleyfield Ash Lagoons, Valleyfield, Culross	Iberdrola S.A. (Scottish Power Generation Ltd)		352,625	1,770,347	
Fife	PPC/E/0020083	Lochhead Landfill Site & Dunfermline Recycling Centre	Fife Council		112,751	3,275,459	

Local authority	Licence/Permit number	Site name	Operator organisation	Stable non-reactive hazardous waste cell	Total landfilled 2012 (tonnes)	Remaining capacity as at 31 December 2012 (tonnes)	Comments
Fife	PPC/E/0020085	Fife Council, Lower Melville Wood L/F, Cupar	Fife Council	√	138,300	702,256	
Glasgow	PPC/W/0020046	Greenoakhill Landfill, Mount Vernon, Glasgow	Patersons of Greenoakhill Ltd	√	229,303	1,236,418	
Highland	PPC/A/1000148	Seater Landfill Site, Bower, by Wick	The Highland Council		20,124	332,000	
Highland	PPC/A/1004251	Granish Landfill Site Cell 3, By Aviemore	The Highland Council		9,346	89,300	
Highland	PPC/N/0050031	Duisky Landfill Site, Kinlocheil, Fort William	Locheil Logistics Ltd	√	14,471	520,500	
Midlothian	PPC/E/0020007	Drummond Moor (No 2) Landfill Site, Roslin	Waste Recycling Group (Scotland) Ltd		31,632	1,600,111	
Moray	PPC/N/0020028	Nether Dallachy Landfill Site	Moray Council		44,422	500,000	
North Ayrshire	PPC/W/0020008	Knowes Farm IV Landfill Site	Smith Skip Ltd		62,728	264,095	
North Ayrshire	PPC/W/0020014	Shewalton Landfill Area 2	North Ayrshire Council		66,598	210,000	
North Ayrshire	PPC/A/1038061	Loanhead Quarry, Blyth	W H Malcolm Limited	√	-	1,000,000	Not Active in 2012
North Lanarkshire	PPC/A/1000113	Auchinlea Landfill Site, Bellside, Cleland	North Lanarkshire Council		88,485	50,000	
North Lanarkshire	PPC/W/0020041	Greengairs Landfill, Greengairs, Airdrie	Waste Recycling Group (Scotland) Ltd	√	205,548	13,987,865	
Perth & Kinross	PPC/E/0020056	SITA, Binn Farm Landfill Site	SITA UK Limited	√	163,257	970,000	

Local authority	Licence/Permit number	Site name	Operator organisation	Stable non-reactive hazardous waste cell	Total landfilled 2012 (tonnes)	Remaining capacity as at 31 December 2012 (tonnes)	Comments
Renfrewshire	PPC/A/1020313	Bishopton Landfill	BAE Systems Properties Ltd		45,998	104,002	
Scottish Borders	PPC/A/1000112	Easter Langlee No 2 Landfill Site, Galashiels	Scottish Borders Council		51,746	660,934	
Shetland Islands	PPC/N/0050027	Gremista Waste Management Facility, Lerwick	Shetland Islands Council	√	13,844	840,000	
Shetland	PPC/A/1085946	Shetland Gas Plant peat store	Total Exploration & Production UK Ltd		-	157,238	Not Active in 2012
South Ayrshire	PPC/A/1000105	Tarbolton Landfill, Mauchline	Tarbolton Landfill Limited		57,105	330,000	
South Ayrshire	PPC/A/1000116	Straid Farm Landfill Site	Straid Farm Ltd	√	30,429	110,000	
South Lanarkshire	PPC/A/1004241	Rigmuir Landfill Site, Nr East Kilbride	Viridor Waste Management Ltd		89,844	1,973,861	
South Lanarkshire	PPC/W/0020063	South Cathkin Landfill Site	Glasgow City Council		409,752	1,057,066	
West Dunbartonshire	PPC/W/0020026	Auchencarroch Landfill, Alexandria	Barr Environmental Ltd	√	118,828	3,250,000	
West Lothian	PPC/E/0020001	Levensseat Landfill	Levensseat Ltd		60,604	1,000,000	

n/k - not known - site not submitted remaining landfill capacity

Appendix 3: Hazardous Landfill Summary as at 31 December 2012

Local authority	Licence/Permit number	Site name	Operator organisation	Total landfilled 2012 (tonnes)	Remaining capacity as at 31 December 2012 (tonnes)	Comments
Falkirk	PPC/E/0020086	Avondale Hazardous Landfill Site	Avondale Environmental Ltd	78,799	250,761	

Appendix 4: Landfill type information

The Landfill (Scotland) Regulations 2003 set out those wastes which may be accepted in the different classes of landfill, i.e. hazardous, non-hazardous or inert.

1. Waste may only be accepted at a landfill for inert waste if:

- a) It does not undergo any significant physical, chemical or biological transformations;
- b) It does not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm to human health; and
- c) Its total leachability and pollutant content and the ecotoxicity of its leachate are insignificant and, in particular, do not endanger the quality of any surface water or groundwater.

2. Waste may only be accepted at a landfill for non-hazardous waste if it is:

- a) municipal waste;
- b) non-hazardous waste which does NOT feature on the list of hazardous waste in the European Waste Catalogue (EWC) 2002.
- c) stable, non-reactive hazardous waste (such as that which is solidified with leaching behaviour that will not change adversely in the long term, under landfill design conditions or foreseeable accidents, e.g. bonded asbestos)

3. Waste may only be accepted at a landfill for hazardous waste if:

- a) it is listed on the Hazardous Waste List of the European Waste Catalogue or has similar characteristics to those so listed;
- b) its total content or leachability:
 - i. does not present a short term occupational risk or an environmental risk;
 - ii. would not prevent the stabilisation of the landfill within its projected lifetime taking account of its after care period following closure.

Appendix 6: SEPA data re-use statement



Terms and Conditions of Use of Data

1. General

- 1.1 These Terms and Conditions set out the ways in which You can and cannot use Data (as defined below).
- 1.2 By using Our Data You accept these Terms and Conditions.
- 1.3 If you want to use Data for any purpose not permitted expressly by these Terms and Conditions You will need a written licence from Us or a Third Party first, and charges will normally apply.
- 1.4 These Terms and Conditions do not affect Your statutory rights.

2. Defined Terms

- 2.1 The meanings of defined terms used in these Terms and Conditions are set out in the Schedule.
- 2.2 The Schedule is deemed to be incorporated in and to form part of these Terms and Conditions.

3. Ownership

All Data We supply to You is and will continue to be owned by Us or a Third Party.

4. Prohibition on Commercial Use and other specified uses

Notwithstanding any other provision of these Terms and Conditions, You are prohibited from using Data for Commercial Use or any other Prohibited Use.

5. Licence to use Our Data

Subject to the other provisions of these Terms and Conditions We grant You a non-exclusive, non-transferable, perpetual, royalty-free, world-wide licence to use Our Data for Non-Commercial Use.

6. Third Party Data

- 6.1 Data may contain or be derived in whole or in part from Third Party Data.
- 6.2 We will endeavour to inform You at the time of supply of Data if any Third Party Data is involved, but We do not accept any liability for any failure to provide such notice
- 6.3 These Terms and Conditions do not give You any right to use Third Party Data for any purpose whatsoever.
- 6.4 If You want to use Third Party Data for any purpose You will need a separate written licence from Us or the Third Party first.
- 6.5 We can only grant licences to use Third Party Data to the extent permitted under, and in terms which are compliant with, SEPA's Licence.

7. Copyright Acknowledgement

- 7.1 In respect of any permitted use of Our Data You must acknowledge the source of the Data by including the following statement: "Contains SEPA data © Scottish Environment Protection Agency and database right [year*]. All rights reserved".

**This should be: the year of receipt in the case of digital data; and the year of publication in the case of paper data.*

- 7.2 In respect of any permitted use of Third Party Data You must acknowledge the source of the Data by way of sufficient acknowledgement in such manner as We or the relevant Third Party may require.

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8. Notice

In respect of any permitted use of Data involving the provision of Data to others You must attach a copy of or a link to these Terms and Conditions, ensure that they are effectively brought to the recipient's attention and ensure that the recipient also complies with them.

9. Further Provisions on Use

In respect of any permitted use of Data You must ensure that You use it accurately and that You do not use it in a manner that is or may be misleading to others.

10. Data Protection

If Data contains any personal information (as defined in the Data Protection Act 1998 (as amended)) You must ensure that Your use of the Data does not breach that Act.

11. Charges

11.1 We reserve the right to charge for Commercial Use of Our Data. Such charges will be charges which We are entitled to make pursuant to our statutory powers, duties or functions.

11.2 We reserve the right to charge, and may be required by SEPA's Licence to charge, for any permitted use of Third Party Data. Such charges will be charges which We are entitled to make pursuant to our statutory powers, duties or functions, or which we consider it is reasonable for us to make because of charges we require to pay to Third Parties.

12. Content, quality, security and supply

12.1 We will take reasonable care to ensure that Data is an accurate copy from Our records at the time it is made available to you.

12.2 We do not guarantee that Data made available to You is or will be accurate, complete, up to date or valid, free from defects, viruses or malicious or damaging code, or fit or suitable for Your purposes or needs. It is Your responsibility to check and satisfy yourself in respect of these matters.

12.3 We have no obligation or responsibility to continue the supply of any Data or to provide any updates.

13. Exclusion of Warranties and Liability

13.1 We exclude any warranties, and representations in relation to the Data or its use to the fullest extent permitted by law.

13.2 We exclude liability for any loss, injury or damage of any kind caused by the Data or its use to the fullest extent permitted by law.

14. Publication of and Changes to these Terms and Conditions

14.1 These Terms and Conditions (as they may be changed by variation, amendment or replacement from time to time) will be published on our website.

14.2 We reserve the right to make changes to these Terms and Conditions at any time without notice and such changes will be effective immediately.

14.3 Your continued use of the Data after publication of such changes will amount to deemed acceptance of the changed Terms and Conditions.

14.4 We recommend that you check our website on a regular basis for changes to these Terms and Conditions.

15. Further information

If you require further information about the use of any Data for any purpose not permitted expressly by these Terms and Conditions, please contact:- dataenquiries@sepa.org.uk or Information Management Unit, SEPA, Erskine Court, The Castle Business Park, Stirling, FK9 4TR

SCHEDULE

(MEANINGS OF DEFINED TERMS USED IN THESE TERMS AND CONDITIONS)

Commercial Use means use other than for Non-Commercial Use and includes (without limitation) using Data by way of or in the context of:- (1) offering or providing goods or services for a charge; (2) offering or providing goods or services for a direct or indirect commercial purpose or advantage; (3) re-selling it; (4) giving advice based on it; (5) charging for advertising space; (6) gaining goodwill with clients or customers by providing free or not-for-profit goods or services; and (7) activities leading or intended to lead to the generation of revenues;

Contractor means a contractor, sub-contractor or consultant carrying out work directly for You;

Data means data, documents or information made available by Us (or any part of it);

Derived Data means data created using, or which incorporates, any part of the Data or is based upon the Data;

Fair Dealing means fair dealing (within the meaning of the Copyright Designs and Patents Act 1988 (as amended)) for the purposes of:- (1) research for a non-commercial purpose (if accompanied by sufficient acknowledgement); (2) private study; (3) criticism or review (if accompanied by sufficient acknowledgement); (4) reporting current events;

Non-Commercial Use means use by way of or in the context of:- (1) Fair Dealing; (2) Internal Business Use which is to support an organisation's non-commercial activities only, being those activities that do not, and are

not intended directly or indirectly to: (a) lead to, support or otherwise relate to, the generation of revenues in excess of the direct costs of those activities, whether at the time of use or at some future time; or (b) facilitate, influence or determine (in whole or in part) the outcome of any assessment, analysis or process (or any part of them) in a manner which may affect such revenues (or any part of them) or the levels at or basis upon which they are generated;

Internal Business Use means using Data within an organisation to support that organisation's activities in a manner which does not involve or result in:- (1) Data leaving the organisation (other than it being passed to a Contractor who is effectively taken bound by You to comply with these Terms and Conditions); (2) The licence or supply to any Third Party of any Derived Data;

Our Data means Data and associated intellectual property rights owned by Us and excludes Third Party Data;

Prohibited Use means Using Data by way of or in the context of: (1) any Commercial Use; (2) copying it for any Third Party; (3) printing it (or any part of it) in hard copy form for any Third Party; (4) passing, distributing or sharing it or copies of it to or with any Third Party; (5) publishing it or making it available to the public by the internet or any other means; (6) reverse-engineering it; (7) using it for any illegal or immoral purpose or in any manner which might prejudice the name or reputation of SEPA or SEPA's Licensors;

Schedule means the schedule to these Terms and Conditions;

SEPA means the Scottish Environment Protection Agency, Erskine Court, Castle Business Park, Stirling, FK9 4TR;

SEPA's Licence means the licence or licences (if any) under which SEPA holds Data or any part of it;

SEPA's Licensors means the licensors under SEPA's Licence;

These Terms and Conditions means these terms and conditions as they may be changed from time to time;

Third Party means a party other than SEPA or You;

Third Party Data means Data and associated intellectual property rights owned by a Third Party;

Us and **We** means SEPA; and **Our** shall be construed accordingly;

You means any User of Data; and **Your** shall be construed accordingly